

INDIRECT COSTS PROVISIONS NAVAJO NATION CODE

February 6, 2014
Gallup, New Mexico

Navajo Nation Department of Justice Presentation

TITLE 2 LEGISLATIVE AUTHORITY

Title 2 Article 5. Naa'bik'íyáti' Committee

§ 701. Powers

A. The Committee shall have the following enumerated powers:

10. To review and approve the negotiation and setting of the Navajo Nation's indirect cost or administrative cost rate agreements with the cognizant federal agent. When in the best interest of the Nation, the Committee may waive the indirect cost or administrative cost rate when:

2 N.N.C. §701 (A)(10)

Title 2 Article 5. Naa'bik'íyáti' Committee

§ 701 (A) (10) continued

When in the best interest of the Nation, the Committee may waive the indirect cost or administrative cost rate when:

a. The division, department or program requesting the waiver demonstrates a statutory and/or regulatory requirement that limits the indirect cost or administrative cost rate available for a particular grant or contract, or

2 N.N.C. §701 (A)(10)

Title 2 Article 5. Naa'bik'íyáti' Committee

§ 701 (A) (10) continued

When in the best interest of the Nation, the Committee may waive the indirect cost or administrative cost rate when:

b. There is a showing of necessity and a commitment of available general funds by the division, department or program requesting the waiver which is available to offset the loss in indirect costs or administrative costs.

§ 164 EXECUTIVE BRANCH REVIEW

The Department of Justice has determined that Indirect Cost Waivers should be submitted for Executive Branch review as a § 164 (B) Grant/Funding Agreement document or matter.

§ 164 EXECUTIVE BRANCH REVIEW

§ 164 (B) Grant/Funding Agreement documents and matters require review by:

- 1. Division**
- 2. Office of Management & Budget**
- 3. Office of Controller**
- 4. Office of Attorney General**

§ 164 EXECUTIVE BRANCH REVIEW

During its § 164 (B) review of an Indirect Cost Waiver, the Department of Justice will specifically look for documentation that the if 2 N.N.C. §701 (A)(10) requirements have been satisfied, i.e., the division, department or program requesting the waiver *demonstrates a statutory and/or regulatory requirement that limits the indirect cost or administrative cost rate available for the grant or contract.*

QUESTIONS

